

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF TENNESSEE**  
**NORTHERN DIVISION**

PAUL L. McMILLIN ,

Plaintiff,

v.

TUSCULUM COLLEGE,

Defendant.

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Case No. 3:05-cv-00493  
Phillips/Guyton

**JUDGEMENT ORDER**

This case came before the Court on a motion to dismiss, or in the alternative, for summary judgment by defendant, Tusculum College. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the defendant's motion,

**IT IS ORDERED AND ADJUDGED** that the plaintiff, Paul McMillin, take nothing, that the action be **DISMISSED WITH PREJUDICE** on the merits, and that the defendant recover of the plaintiff its costs of this action.

The final pretrial conference scheduled for October 2, 2007 and the trial scheduled for October 10, 2007 are hereby cancelled.

Dated at Knoxville, Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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s/ Patricia L. McNutt  
Clerk of Court